

J v. F.

April 2, 2019

Hon. I. Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

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Chambers of
I. Leo Glasser
United States District Judge

Re: Case No. 98-cr-1101, *US v. Felix Sater*

Dear Judge Glasser:

You may recall that several years ago I made a request that you unseal the docket of Felix Sater's co-conspirator Gennady Klotsman, and in response to that motion, you recused yourself, and Judge Gleeson very expeditiously resolved the motion and unsealed Klotsman's docket. The whole process was very quick.

I have been following this Sater case for many years. You may recall that an affidavit was submitted under my name, showing how I put the pieces together and figured out that "John Doe" was Felix Sater, and that I was the whistleblower who told the Miami Herald about Sater's secret docket. This occurred because Bayrock was intimately involved with FBI most wanted fugitives, Victor & Natalia Wolf in the same frauds using land in Austin, Texas, near a small town named Manor, Texas.

I am hereby joining in the currently pending motions to unseal Felix Sater's case, but ask that just as you recused yourself from deciding the Klotsman motion to unseal, you now do the same with respect to the motions to unseal the Sater case. Clearly, as has been widely reported, your actions in this case are subject to very serious public scrutiny and to secure the impartiality of the justice system in the United States, I urge you to take the same course of action you took regarding Klotsman. Another sad mark in the evolution of this case were the recently unsealed transcripts that show that there were illegal ex parte conferences where you discussed the issues raised by Oberlander, and the merits of the Kriss v. Bayrock lawsuit that Oberlander filed in behalf of his clients.

Perhaps you feel that it is time to come clean, and that you intend the broadest possible disclosure of the information from Sater's file, including his PSR, which, according to the November 17, 2010 affidavit of attorney Schwarz, many people have. (See pp. 8-9 of <https://www.courtlistener.com/recap/gov.uscourts.nyed.166709.76.1.pdf>)

Additionally, I request the complete unsealing of the transcript of Sater's Sentencing, which occurred on October 23, 2009. It happened in open court, so there is no basis for you to keep from the public what was heard in open court. Members of the public were present during the sentencing, and I have as much a right to know what was said in open court as does any member of the public who was present during the Sentencing. It has been reported, and will not be denied by Sater or the government, that Sater's rabbi was present in the courtroom during his sentencing. There is a videotape available of the rabbi talking about being present during the sentencing. See <https://www.youtube.com/watch?v=xSpFtCmoD5o> As an attorney myself, it is my understanding

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U.S. District Court

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Hon. John Gleason
United States District Court
Southern District of New York
250 Cadogan Plaza
Brooklyn, New York 11201

Re: Case No. 98-cr-1101, et al. V. NY 2008

Dear Judge Gleason:

I am writing to you regarding the motion you made a request that you unseal the jacket of Felix Sater's co-conspirator, Kenneth Kistman, and in response to that motion you received yourself and Judge Gleason your motion and requested Kistman's jacket. The whole process was very quick.

I have been following this case for many years. You may recall that an affidavit was submitted under my name showing how I put the pieces together and figured out that John Doe was Felix Sater and that I was the whistleblower who told the Miami Herald about Sater's secret jacket. This occurred because I was initially invited with FBI most wanted fugitive, Victor R. Mander Wolf to the same hotel using land in Austin, Texas near a small town named Marlin, Texas.

I am hereby joining in the currently pending motions to unseal Felix Sater's case but ask that just as you received your motion from deciding the Kistman motion to unseal, you now do the same with respect to the motions to unseal the Sater case. Clearly, as has been widely reported, your actions in this case are subject to very serious public scrutiny and to secure the impartiality of the justice system in the United States I urge you to take the same course of action you took regarding Kistman. Another and more in the evolution of this case were the recently unsealed transcripts that show that there were illegal ex parte conferences where you discussed the issues raised by Ochsberg and the merits of the case. I brought this to your attention then in behalf of the

Perhaps you feel that it is time to come clean and that you intend the broadest possible disclosure of the information from Sater's file including his NSA which according to the November 17, 2010 affidavit of attorney Benjamin Schwartz many people have (see pg. 2-3 of <https://www.courtsandlegalresources.com/courtsandlegalresources/media/1667092/11-17-10.pdf>).

Additionally, I request the complete unsealing of the transcripts of Sater's sentencing which occurred on October 22, 2008. It happened in open court so there is no basis for you to keep from the public what was heard in open court. Members of the public were present during the sentencing and I have as much a right to know what was said in open court as does any member of the public who was present during the sentencing. It has been reported and will not be denied by Sater or the government that Sater's trial was present in the courtroom during his sentencing. There is a videotape available of the trial taking about being present during the sentencing. See <https://www.youtube.com/watch?v=2Hf1QmGd5>. As an attorney myself, it is my understanding

that the priest(rabbi)-penitent privilege is broken if there is a third-person present during the conversation, just as the attorney-client privilege is broken if there is a third-party present. Mr. Sater's rabbi was just a member of the public when he sat in that courtroom, and has no superior rights to have heard what was said than I do. I demand that the full, unredacted transcript be made public, along with every other document on the docket.

Also, any idea that Sater's safety would be (or was ever) at risk is proved false by his own words. During a recent interview, he was asked and answered as follows:
(See <https://www.investigativestudios.org/news/2019/3/25/felix-sater-in-berkeley>)

REPORTER:

You wanted to be his [Trump's] partner, not a franchiser. And you were...Bayrock was...

SATER:

Yeah, we were partners with him on three or four deals.

REPORTER:

Trump SoHo.

SATER:

Trump SoHo, Trump Fort Lauderdale, two Trump Ft. Lauderdale's, Trump Phoenix. And then we looked at dozens of projects: Trump Paris, Trump London, Trump Moscow. Because that Trump Moscow situation was my third attempt, not my first attempt.

So Donald Trump didn't know about any of your convictions?

BERGMAN:

SATER:

He knew I had some problems in the past, yes. He didn't have detailed information, but he knew that I had issues in the past.

REPORTER:

How did he know that?

SATER:

I believe I told him.

that the public's right to know is broken if there is a third-person present during the conversation just as the attorney-client privilege is broken if there is a third-party present. Mr. Sater's father was just a member of the public when he sat in that courtroom and has no superior rights to have heard what was said than I do. I demand that the full unredacted transcript be made public along with every other document on the docket.

After my idea that Sater's safety would be (or was even) at risk improved false by his own words. During a recent interview, he was asked and answered as follows:
(See <http://www.washingtonpost.com/archive/local/2018/03/23/alex-sater-in-prison/>)

You wanted to know if I felt I was in danger from the FBI or the DOJ or the courts. You were right.

1/1/19

and we were all in the same room at the time.

1/1/19

1/1/19

1/1/19

The only time I ever felt threatened was when I was in the courtroom with the judge.

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1/1/19

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REPORTER:

Did your partners at Bayrock know anything about that?

SATER:

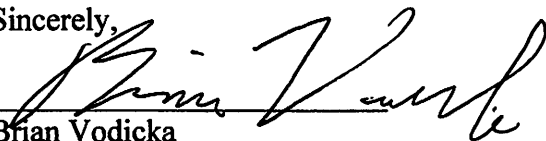
Yes. Anybody that worked with me, especially at Bayrock or anywhere else, that says they didn't know... lying.

Moreover, the idea that Sater would be placed at risk if information comes to light about his cooperation is ridiculous because Captain Joseph Giannini's affidavit shows that the members of organized crime who were prosecuted based on Sater's cooperation all knew that Sater was a cooperator.

Judge Glasser, it appears that the only reason you have slow-walked and stone-walled the unsealing of Sater's case in the past is that you are embarrassed that you let him keep the money he stole, and through the secrecy that you enabled, you allowed him to go on and on committing crimes. You violated the Mandatory Victims Restitution Act and the Crime Victims Rights Act when you illegally let Sater keep the \$40 million that he pled guilty to having stolen. It is time for you to immediately unseal everything, so the public can see how crime pays in the United States of America.

I ask that you docket this request for a hearing to unseal everything involving Bayrock and Felix Sater.

Sincerely,



Brian Vodicka
2601 NW 3rd Ave
Wilton Manors Ave., FL 33311
954-716-9375

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Moreover, the idea that Sater would be placed at risk if information comes to light about his cooperation is ridiculous because (quite simply) Sater is not a member of the Mafia. He was never involved in any Mafia activities and his cooperation was a result of his own free will.

Judge Glasser, it appears that the only reason you have slow-walked and some-walked the unsealing of Sater's case in the past is that you are embarrassed that you let him keep the money he stole and through the secrecy that you allowed him to go on and on committing crimes. You violated the Mandates, Victims Restitution Act and the Crime Victims Rights Act when you illegally let Sater keep the \$40 million that he stole guilty to having stolen. It is time for you to immediately unseal everything, so the public can see how crime pays in the United States of America.

I ask that you docket this request for a hearing to unseal everything involving Bayrock and

Felix Sater.

Sincerely,

William J. Glasser

2601 N.W. 7th Ave.

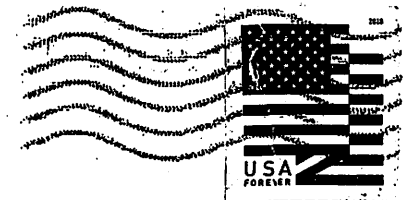
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Brooklyn, New York 11201

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